

**AMENDMENTS TO THE DRAWINGS**

The attached drawing sheet includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1.

Attachment: Replacement Sheet

### **REMARKS**

This paper is responsive to the Office Action mailed October 5, 2006. Claims 1-17 were pending before submission of this paper. Claims 1, 6, 11, 12 and 16 have been amended. Support for all amended claims can be found in the specification, and no new matter has been added by these amendments. Claims 5, 13 and 17 are cancelled. Claims 1-4, 6-12 and 14-16 are currently pending in the above-identified application. Reconsideration of the claims in view of the amendments and the following remarks is respectfully requested.

#### **Drawing Objections**

Figure 1 is objected to for failing to comply with 37 C.F.R. §1.84(p)(5) and 37 C.F.R. 1.83(a). A corrected drawing sheet of Figure 1 in compliance with 37 C.F.R. 1.121(d) is attached. Specifically, reference number 110 in Figure 1 has been changed to reference number 100 such that "Kernel file" correctly corresponds to reference number 100 in the specification. Withdrawal of the objection to the drawings is respectfully requested.

#### **Specification Objections**

The specification is objected to in view of the objections made to the drawings. The amendment to Figure 1 discussed above overcomes the discrepancy between the drawing element and the corresponding element in the specification. Withdrawal of the objection to the specification is respectfully requested.

#### **Claim Rejections under 35 U.S.C. § 112**

Claims 1-17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office Action states that it is not clear as to what "processing" (as recited in claims 1, 12 and 16) and "examining" (as recited in claim 11) consists of and/or what it involves. Claims 1, 11, 12 and 16 have been amended to particularly point out and distinctly claim the

subject matter which applicant regards as the invention. Specifically, claims 1 and 16 are amended to change "processing" to "reading"; Claim 11 is amended to change "examining" to "reading"; and claim 12 is amended is delete the step of processing.

The Office Action states that claims 5, 13 and 17 include limitations that lack antecedent basis. Claims 5, 13 and 17 have been cancelled. The limitations of claims 5, 13 and 17 are included in the corresponding independent claims with proper antecedent basis.

In view of the foregoing, withdrawal of the rejection of claims 1-17 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Claim Rejections under 35 U.S.C. § 101

The Office Action states that claims 1-17 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Specifically, the Office Action states that claims 1, 11 and 16 are not statutory because they produce results that are not considered tangible.

Claims 1, 11 and 16 are amended to produce tangible results. Specifically, claim 1 is amended to include "storing the first unread queue entry at the first client"; claim 11 is amended to include "storing the entry at the second client"; and claim 16 is amended to include "code for storing the first unread queue entry at the first client."

In view of the foregoing, withdrawal of the rejection of claims 1-17 under 35 U.S.C. § 101 is respectfully requested.

Allowable Subject Matter

Claims 5, 13 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 5 is dependent on claim 1; claim 5 has been cancelled and claim 1 has been amended to include the limitation of claim 5. Claim 13 is dependent on claim 11; claim 13 has been cancelled and claim 11 has been amended to include the limitation of claim 13. Claim 17 is dependent on claim 16; claim 17 has been cancelled and

claim 16 has been amended to include the limitation of claim 17. Thus, as discussed below, claims 1, 11 and 16 are allowable.

Claim Rejections under 35 U.S.C. § 103

Claims 1-4, 7, 11-12, and 14-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Cabrera* (U.S. Publication No. 2003/0056069) in view of *Landfield* (U.S. Patent No. 5,928,333). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Cabrera* in view of *Landfield* and further in view of *Vanden Heuvel* (U.S. Patent No. 5,426,424). Claims 8-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Cabrera* in view of *Landfield* and further in view of *Luke* (U.S. Patent No. 6,985,956).

Independent claim 1, as amended, recites in part "attempting by a first client to lock a header of a kernel file to prevent simultaneous access by other clients, wherein the kernel file is included in a queue, implemented in a queue data structure, and has one or more slots to accommodate entries in the queue, the header comprising: a count of a number of empty slots in the kernel file, a count of a number of slots in the kernel file that are either being filled or read by a client, a count of a total number of slots in the kernel file, an offset of a first slot that is ready to be read by a client, an offset of a first empty slot, and a queue priority of the first slot."

*Cabrera* teaches buffering data from a file in a hierarchical data storage system. Buffer headers and hash queue headers are used to optimize performance of insert, search, and data reuse operations. Each buffer header includes a lock field to prevent other threads from corrupting the data in a data buffer by overwriting it with new transferred data or by relocating the header to a different location in a hash sequence structure. Paragraphs 10 and 56.

*Landfield* teaches a graphical user interface that allows an administrator to bounce messages from a queue, to delete messages from the queue, and to stop and start the actions of the queue. Column 2, lines 28-32.

Neither *Cabrera*, *Landfield* nor any of the other cited references, alone or in combination, teach all of the features recited in independent claim 1. Specifically, as stated in

the office action, neither *Cabrera*, *Landfield* nor any combination thereof teach a "header comprising: a count of a number of empty slots in the kernel file, a count of a number of slots in the kernel file that are either being filled or read by a client, a count of a total number of slots in the kernel file, an offset of a first slot that is ready to be read by a client, an offset of a first empty slot, and a queue priority of the first slot." Since claim 1, as amended, includes features that are not found in any of the cited references, claim 1 is allowable over the cited art.

Furthermore, claims 2-4 and 7 are dependent on claim 1. As discussed above, claim 1 is allowable over the art of record. Thus, claims 2-4 and 7 are also allowable for at least the same reasons.

Independent claims 11 and 16, as amended, recite limitations similar to the limitations recited in amended claim 1. As discussed above, claim 1 is allowable over the art of record. Thus, claims 11 and 16 are also allowable over the cited art for at least the same reasons. Furthermore, claims 12, 14 and 15 are dependent on claim 11. As discussed above, claim 11 is allowable over the art of record. Thus, claims 12, 14 and 15 are also allowable for at least the same reasons.

Claim 6, as amended, recites "each slot is organized into one of three virtual groups comprising: a group for empty slots that are empty and ready to receive a message; a group for unread slots that each contain an unread message waiting to be read by a client; and a group for pending slots that are either being filled by a client or are being read by a client."

*Vanden Heuvel* teaches checking for an available memory slot. If no slot is available, the oldest read or the oldest unread message is deleted and the next available personal control area is made available for message storage.

Neither *Cabrera*, *Landfield*, *Vanden Heuvel* nor any of the other cited references, alone or in combination, teach all of the features recited in claim 6. Specifically, neither *Cabrera*, *Landfield*, *Vanden Heuvel* nor any combination thereof teach a "a group for pending slots that are either being filled by a client or are being read by a client." Since claim 6, as

amended, includes features that are not found in any of the cited references, claim 6 is allowable over the cited art.

Furthermore, claims 6 and 8-10 depend from claim 1 (either directly or indirectly). The rejection of claim 6 is premised on the assertion that *Cabrera* and *Landfield* disclose the features recited in claim 1 and *Vanden Heuvel* discloses the remaining features of claim 6. The rejection of claims 8-10 is premised on the assertion that *Cabrera* and *Landfield* disclose the features recited in claim 1, and *Luke* discloses the remaining features of claims 8-10.

As discussed above, however, neither *Cabrera* nor *Landfield*, alone or in combination, disclose or suggest all features recited in amended claim 1. As best understood, *Vanden Heuvel* and *Luke* do not provide any teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 6 and 8-10.

In view of the foregoing, withdrawal of the rejection of claims 1-4, 6-12 and 14-16 under 35 U.S.C. § 103(a) is respectfully requested.

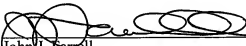
**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

1/3/07  
Date \_\_\_\_\_

  
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